

ARTICLE APPEARED
ON PAGE A12

NEW YORK TIMES
4 February 1986

Man Accused of Spying Passed His Only Lie Test

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Special to The New York Times

WASHINGTON, Feb. 3 — Larry Wu-Tai Chin, accused of decades of spying for the Chinese, passed the only polygraph, or lie-detector, test he was given in his 30 years at the Central Intelligence Agency, prosecutors disclosed today.

In papers filed in Federal District Court in Alexandria, Va., prosecutors said they intended to use the results of the examination as evidence at Mr. Chin's trial, which is to open Tuesday.

Mr. Chin has pleaded not guilty to multiple counts of spying for the Chinese throughout his career as an analyst with the C.I.A.

Since its inception in 1947, the agency has subjected virtually all its employees to polygraph tests, both as a condition of initial employment and as part of its continuing security checks on officers assigned to sensitive tasks.

Mr. Chin's arrest last year came as the Reagan Administration was moving toward greater use of polygraph examinations to deter disclosing of classified information. Opponents of this move, noting the C.I.A.'s practice of routine testing of its employees, cited the Chin case as evidence that polygraph machines could be easily fooled.

Highly Classified Documents

Administration officials have said he had access to scores of this country's most highly classified intelligence documents on the Far East, including some that might have included the identities of covert American agents in China.

A number of questions about Mr. Chin's case remain unanswered on the eve of his trial. People involved with intelligence have said the first information implicating him came from a high-level Chinese defector, for instance, but they have refused to provide any further details.

It is also unclear how Mr. Chin, if a

spy, could have evaded the C.I.A.'s security procedures for nearly three decades. Mr. Chin was a trusted employee, receiving the agency's Career Intelligence Medal for outstanding service.

Indeed, the defense has served notice that it intends to introduce as evidence Mr. Chin's citation for that award as well as his annual fitness reports.

The C.I.A. and the National Security Agency are the only two Federal agencies that routinely administer polygraph tests to their employees. But officials say that because of the relatively small number of examiners, the tests are given first to those who are most at risk of recruitment by foreign agents, such as employees recently returning from a posting abroad.

A Skilled Translator

Mr. Chin worked for the C.I.A.'s Foreign Broadcast Information Service, an arm of the agency that translates and analyzes broadcasts from mostly open sources. Because of his skills with Chinese dialects, he also worked as a translator for various other parts of the agency.

According to a memorandum that prosecutors submitted to the court today, Mr. Chin told agents of the Federal Bureau of Investigation that the polygrapher's questions were "vague" and not in Chinese. Had the inquiries been pointed, or in his native Chinese, Mr. Chin told the agents, he would have had more difficulty passing, the memorandum said.

Additionally, an Administration official familiar with the case said that at the time the agency's standards for interpreting the tests were looser. "They say he wouldn't have passed today," this official said.

Polygraph machines measure minute physiological changes to try to detect fear or nervousness, a possible signal that the subject is lying. Results of such tests are not admissible as evidence in Federal court as evidence of guilt, but the prosecutors argued that

the restriction should not apply to a test passed by a defendant.

The prosecutors say in the memorandum that Mr. Chin retired from the C.I.A. out of fear that he would be caught and they say the test results help establish the credibility of his statements to the F.B.I. agents on this and other issues.

In the memorandum, prosecutors also asserted that Mr. Chin had kept "meticulous handwritten diaries" that described trips to Toronto and Hong Kong and meetings with Chinese intelligence agents. In its summary of evidence to be introduced at trial, the prosecutors listed more than a dozen volumes of the diaries.

Jacob Stein, Mr. Chin's lawyer, declined to discuss what his strategy would be at trial or whether his client would take the witness stand.

Mr. Chin did testify at a pretrial hearing at which he unsuccessfully attempted to win suppression of his statements to the F.B.I. At that hearing, Mr. Chin said he owned 31 parcels of real estate.

Administration officials familiar with the case say he received payments that reached more than \$1 million over 30 years and that such payments and Mr. Chin's ideology provided a motive for spying.

The case against Mr. Chin took more than two years to develop, and prosecutors acknowledged that the techniques used included extensive wiretaps on his telephone and a warrantless search of his luggage in 1983, after he returned from a trip abroad.

Additionally, about 500 pieces of Mr. Chin's mail were opened and photographed in the investigation.

Prosecutors would not disclose the affidavits that were used to support applications for these procedures. But Federal District Judge Albert V. Bryan Jr. ruled that they were sufficient.

The use of such sealed affidavits is normal in intelligence-related cases when they include information from defectors or other sensitive sources.